

Administrator, subject to the limitations in the Federal Vacancies Reform Act of 1998.

(b) In the event of the absence or disability of both the Administrator and the Deputy Administrator, or in the event that both positions are vacant, the following officials, in the order indicated, shall serve as Acting Deputy Administrator and shall perform the functions and duties of the Administrator, except for any non-delegable statutory and/or regulatory functions and duties:

- (1) Chief Counsel;
- (2) Senior Associate Administrator for Vehicle Safety;
- (3) Senior Associate Administrator for Traffic Injury Control;
- (4) Senior Associate Administrator for Policy and Operations.

(c) In order to qualify for the line of succession, officials must be encumbered in their position on a permanent basis.

**§ 501.5 Exercise of authority.**

(a) All authorities lawfully vested in the Administrator and reserved to him/her in this Regulation or in other NHTSA directives may be exercised by the Deputy Administrator and, in the absence of both Officials, by the Chief Counsel, unless specifically prohibited.

(b) In exercising the powers and performing the duties delegated by this part, officers of the NHTSA and their delegates are governed by applicable laws, executive orders, regulations, and other directives, and by policies, objectives, plans, standards, procedures, and limitations as may be issued from time to time by or on behalf of the Secretary of Transportation, the Administrator, the Deputy Administrator and the Chief Counsel or, with respect to matters under their jurisdiction, by or on behalf of the Senior Associate Administrators, Associate Administrators, Regional Administrators, and Directors of Staff Offices.

(c) Each officer to whom authority is delegated by this part may redelegate and authorize successive redelegations of that authority subject to any conditions the officer prescribes. Redelegations of authority shall be in written form and shall be published in the FED-

ERAL REGISTER when they affect the public.

(d) Each officer to whom authority is delegated will administer and perform the functions described in the officer's respective functional statements.

**§ 501.6 Secretary's reservations of authority.**

The authorities reserved to the Secretary of Transportation are set forth in § 1.21 of part 1 and in part 95 of the regulations of the Office of the Secretary of Transportation in subtitle A of this Title (49 CFR Parts 1 and 95).

**§ 501.7 Administrator's reservations of authority.**

The delegations of authority in this part do not extend to the following authority which is reserved to the Administrator, except when exercised pursuant to §§ 501.4 and 501.5(a):

(a) The authority under chapter 301—Motor Vehicle Safety—of Title 49 of the United States Code to:

- (1) Issue, amend, or revoke final federal motor vehicle safety standards and regulations;
- (2) Make final decisions concerning alleged safety-related defects and non-compliances with Federal motor vehicle safety standards;
- (3) Grant or renew temporary exemptions from federal motor vehicle safety standards; and
- (4) Grant or deny appeals from determinations upon petitions for inconsequential defect or noncompliance.

(b) The authority under 23 U.S.C. chapter 4, as amended, to:

- (1) Apportion authorization amounts and distribute obligation limitations for State highway safety programs under 23 U.S.C. 402;
- (2) Award grants to the States under the National Priority Safety Programs, 23 U.S.C. 405;
- (3) Issue, amend, or revoke uniform State highway safety guidelines and rules identifying highly effective highway safety programs under 23 U.S.C. 402;
- (4) Fix the rate of compensation for non-government members of agency sponsored committees which are entitled to compensation.

(c) The authority under chapters 303, 321, 323, 325, and 329 (except section